

Form of official secrets act needed

## Law's laxity helped point gun at CIA agent in Athens

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## Opinion Page

WASHINGTON — On a marble wall to the right as you enter Central Intelligence Agency (CIA) headquarters at Langley, Va., is a bank of nameless stars — two rows so far: one dedicated to each CIA employee killed in line of duty since 1947. Until Dec. 23 there were 31 stars. Now there will be 32.

Unlike its 31 predecessors, star No. 32 will be forever associated with a name known to the general public. Richard Skeffington Welch, CIA station chief in Athens, was murdered before his wife's eyes by foreign terrorists after having been exposed by a sordid consortium of fellow Americans calling themselves "Fifth Estate" and who devote themselves to the exposure of United States intelligence officers and operations throughout the world.



Col. Heinl

FIFTH ESTATE'S PRINCIPAL medium for unmasking American intelligence is a nasty quarterly pamphlet entitled CounterSpy. CounterSpy, with the aid of CIA defector Philip Agee, who heads Fifth Estate's advisory board, has to date published the identities of 225 CIA agents or officers as well as those of 150 agency station chiefs — such as Welch — now serving overseas.

Agee, who has publicly admitted ties with the Cuban Communist Party, is author of "CIA Diary," a KGB-supported expose of the CIA. He is by his own admission staying abroad to avoid U.S. prosecution.

Besides Agee, Fifth Estate's squalid roster (see the accompanying box) presents a choice selection of some of the gamiest names long associated with what the group describes as "adversary efforts" of the new left. In all cases, the adversary they are attacking is the United States.

The U.S. agencies and functions these persons have consecrated themselves to destroying or dismembering are those broadly dedicated to the common defense: the intelligence community, the armed forces and the so-called "military-industrial complex," which in better times Franklin Roosevelt called "the arsenal for democracy."

It is hardly accidental that the prime targets of these individuals and the ceditious organizations they are associated with are, likewise, prime targets of the Kremlin and Russia's KGB, with whom Agee has been linked.

It would be easy and simplistic, but in no way unfair or untruthful, to blame Fifth Estate and its people and their footless backers — all of them, save by technicalities of the law, classifiable in the common understanding of the word, "traitor" — and leave this horrible crime on their doorstep, where it belongs.

After all, it was Fifth Estate which has intentionally published what its principals well knew was a "hit list." Richard Welch was on the list. He was hit.

But the blood of Richard Welch spreads a lot farther — spreads to Capitol Hill, to some members of the U.S. judiciary, to influential segments of the media.

Ever since Dec. 22, 1974, when the New York Times declared war on the intelligence community through a series of shotgun charges by its anti-defense correspondent, Seymour Hersh, the last year has been open season against the intelligence organizations and capabilities of the United States, with the CIA being fed through the shredders of publicity-hungry congressional investigators, staffs and members of both House and Senate.

In a disgusting series of exposures for exposure's sake — different in motive but not in principle from Fifth Estate — the sanctimonious Sen. Frank Church, D-Idaho, and his Democratic colleagues have bartered state secrets, including identities of CIA personnel, for partisan political advantage in an election year. Rep. Otis Pike, CIA's tormentor in the House, along with that congressional "Broomhilda," Bella Abzug, is only better than Church in his refreshing lack of hypocrisy and sanctimony.

Among the judiciary (who are going all out to gag publication of news regarding criminal trials) may be included two U.S. district judges, Albert V. Bryan and Gerhard Gesell, both of whom, despite anguished pleas, stripped away the classification and authorized publication of intelligence names, techniques and secrets either in commercial print or legislative reports.

Judge Bryan's decision is a hit list in itself.

One organization the public would tend to blame for the Welch murder should, paradoxically, be acquitted. Veteran intelligence officers would be highly surprised if the KGB had any direct hand in wiping out Welch. "We and the KGB don't kill each other," explained one experienced agent. "It causes unnecessary difficulties both ways and just makes the game too risky."

There is one final lesson to be derived from this contemptible crime. That is the immediate need for legislation to protect the intelligence community and its people and its secrets from betrayal.

THE UNITED STATES IS THE only major country — the only Western democracy, for that matter — in the world without some type of official secrets act, the title of the British statute governing such matters. Whether we need or would want to live with a comprehensive law modeled even on that of fair-minded Britain is a larger question.

There is no question at all, however, that specific protection is urgently required in law to deal with despicable provocateurs, such as those of Fifth Estate, and to draw lines of responsibility beyond which Congress, courts and media must learn to exercise common discretion.

Church's, or Judge Bryan's hit lists have to be murdered before Congress and the country decide to act?

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